HOUSE BILL NO. 288

INTRODUCED BY J. WINDY BOY, M. WEATHERWAX, C. KEOGH, J. HAMILTON, J. COHENOUR, T. RUNNING WOLF, D. HAWK, E. KERR-CARPENTER, A. BUCKLEY, M. MARLER, D. FERN, K. SULLIVAN, K. KORTUM, T. FRANCE, E. STAFMAN, M. CAFERRO, F. SMITH, T. BROCKMAN, S. WEBBER, M. FOX, W. CURDY, J. SMALL, P. FLOWERS, P. GREEN, J. ETCHART, K. ABBOTT, D. HARVEY, S. STEWART PEREGOY, Z. ZEPHYR, M. ROMANO, L. SMITH, D. BAUM, E. MATTHEWS, S. HOWELL

A BILL FOR AN ACT ENTITLED: “AN ACT REVISING LAWS RELATED TO TUITION WAIVERS FOR AMERICAN INDIAN STUDENTS; AMENDING SECTION 20-25-421, MCA; AND PROVIDING AN EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-25-421, MCA, is amended to read:

"**20-25-421. Charges for tuition -- waivers.** (1) The regents may prescribe tuition rates, matriculation charges, and incidental fees for students in institutions under their jurisdiction.

(2) The regents may utilize waivers in tuition and fees to aid in the recruitment of students to units of the university system and to promote the policy of assisting the categories of students specified in this subsection. The regents may:

(a) waive or discount nonresident tuition for selected and approved nonresident students, including nonresident students who enroll under provisions of any WICHE-sponsored state reciprocal agreements that provide for the payment, when required, of the student support fee by the reciprocal state;

(b) waive resident tuition for students at least 62 years of age;

(c) waive tuition and fees for:

(i) persons who ~~have one-fourth Indian blood or more or~~ are enrolled members <u>or descendants</u> of a federally recognized Indian tribe ~~located within the boundaries of the state of Montana~~ <u>LOCATED WITHIN THE BOUNDARIES OF THE STATE OF MONTANA</u> and who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana university system;

(ii) persons designated by the department of corrections pursuant to 52-5-112 or 53-1-214;

(iii) residents of Montana who served with the armed forces of the United States in any of its wars and who were honorably discharged from military service;

(iv) children of residents of Montana who served with the armed forces of the United States in any of its wars and who were killed in action or died as a result of injury, disease, or other disability incurred while in the service of the armed forces of the United States;

(v) the spouses or children of residents of Montana who have been declared to be prisoners of war or missing in action; or

(vi) the spouse or children of a Montana national guard member who was killed or died as a result of injury, disease, or other disability incurred in the line of duty while serving on state military duty;

(d) waive tuition charges for qualified survivors of Montana firefighters or peace officers killed in the course and scope of employment. For purposes of this subsection, a qualified survivor is a person who meets the entrance requirements at the state university or college of the person's choice and is the surviving spouse or child of any of the following who were killed in the course and scope of employment:

(i) a paid or volunteer member of a municipal or rural fire department;

(ii) a law enforcement officer as defined in 7-32-201; or

(iii) a full-time highway patrol officer."

NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2023.

- END -